



Our File – FSII 305

**DECLARATION FOR PCT APPLICATION**  
English Language Declaration

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe that I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:

**APPARATUS AND METHODS FOR INFRARED  
CALORIMETRIC MEASUREMENTS**

the specification of which:

     is attached hereto, or  
  X   was filed on November 19, 2001 as Application Serial No. 10/001,892,  
and was amended on                      (as applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application that designated at least one country other than the United States of America, listed below, and also have identified below any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

<u>Application Number</u>	<u>Filing Date</u>	<u>Country</u>
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I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional applications listed below.

<u>Application Number</u>	<u>Filing Date</u>
60/249,931	November 17, 2000
60/256,852	December 19, 2000

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56 that became

available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>Application Number</u>	<u>Filing Date</u>	<u>Status</u>
09/764,963	January 17, 2001	pending
09/777,363	February 5, 2001	pending
09/777,364	February 5, 2001	pending
09/777,368	February 5, 2001	pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of sole or first joint inventor: ANDY C. NEILSON

Inventor's signature: \_\_\_\_\_

Date: 3-1-02

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Inventor's signature: \_\_\_\_\_

Date: 3/1/02

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Date: 3/5/02

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Inventor's signature: John M Hopkins

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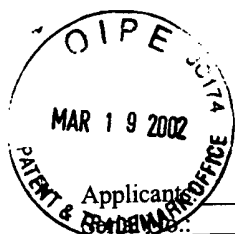
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Inventor's signature: Michael W. Oster

Date: 3/5/02

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**CERTIFICATE UNDER 37 C.F.R. § 3.73(b), CERTIFICATE PURSUANT  
TO 37 C.F.R. § 3.71 AND MPEP § 106, and POWER OF ATTORNEY**

**COPY OF PAPERS  
ORIGINALLY FILED**

Applicant: Andy C. Neilson et al.  
 Ser. No.: 10/001,892  
 Filed: November 19, 2001  
 Title: APPARATUS AND METHODS FOR INFRARED CALORIMETRIC MEASUREMENTS

Thermogenic Imaging, Inc., a Delaware Corporation, certifies, under 37 C.F.R. § 3.73(b), that it is the assignee of the entire right, title, and interest in the above-identified patent application by virtue of an assignment from each of the inventors named in the above-identified patent application. Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all of the documents in the chain of title of the above-identified patent application and certifies that, to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

The above-identified assignee of record, pursuant to 37 C.F.R. § 3.71 and MPEP § 106, hereby excludes all inventors and previous assignee(s), if any, from access to the above-identified patent application, and reserves its right to conduct the prosecution of the above-identified patent application to the exclusion of the named inventors and previous assignee(s).

Thermogenic Imaging, Inc. hereby appoints the following attorneys and agents to prosecute the above-identified application and to transact all business in the Patent and Trademark Office connected therewith:

J. Pierre Kolisch, Reg. No. 15,802; Jon M. Dickinson, Reg. No. 22,820; John M. McCormack, Reg. No. 26,948; Peter E. Heuser, Reg. No. 27,902; David P. Cooper, Reg. No. 33,372; Pierre C. Van Rysselberghe, Reg. No. 33,557; Walter W. Karnstein, Reg. No. 35,565; Charles H. DeVoe, Reg. No. 37,305;; David S. D'Ascenzo, Reg. No. 39,952; Owen W. Dukelow, Reg. No. 41,002; Christopher S. Tuttle, Reg. No. 41,357; James R. Abney, Reg. No. 42,253; Mark D. Alleman, Reg. No. 42,257; Michael M. Hall, Reg. No. 43,653; Ellen M. Gonzales, Reg. No. 44,128; Barbara A. McCoy, Reg. No. 46,077; Paul W. Churilla; Reg. No. 47,495; and Stanley M. Hollenberg, Reg. No. 47,658; Anton E. Skaugset, Reg. No. 38,617.

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The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the above-identified assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: \_\_\_\_\_

*3/1/02*

THERMOGENIC IMAGING, INC.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

*Joe Tuck*

*CEO*